

### **REMARKS**

Claims 1-7 and 9-32 are pending in this application. Claims 2, 4, 7, 10, 12, 15, 17, 23, 27 and 29 are canceled herein without prejudice or disclaimer. Claims 1, 3, 5, 19-20, 25 and 32 are amended herein for clarity to more particularly define the invention. Support for these amendments can be found in the language of the original claims and throughout the specification, as set forth below. It is believed that no new matter is added by these amendments and their entry and consideration are respectfully requested. In light of these amendments and the following remarks, applicants respectfully request reconsideration of this application and allowance of the pending claims.

#### **I. Request for reconsideration of restriction of claims due to unity of invention and request for rejoinder of claims**

Upon entry of the present amendment, claims 1, 3, 5, 6, 9, 11, 13, 14, 16, 18, 19, 20, 21, 22, 24, 25, 26, 28, 30, 31 and 32 are pending in this application. All of these claims have the special technical feature of an isolated polypeptide comprising an amino acid sequence of SEQ ID NO:2, 3, 4, 5 or 6. This technical feature is a unifying aspect of all of the pending claims, which are all directed to these polypeptides, antibodies that specifically bind these polypeptides and nucleic acids encoding these polypeptides, as well as methods and kits employing these polypeptides, antibodies and nucleic acids. Thus, all of the pending claims have unity and should be examined together in the present application.

Applicants further wish to remind the Examiner that if product claims are found allowable, all method claims that recite the allowable products are to be rejoined for examination in the present application, pursuant to the practice of rejoinder as set forth in MPEP § 821.04. Particularly, it is stated therein that if a product claim is elected in a restriction and then found allowable, withdrawn process claims that depend from or otherwise include all of the limitations of the allowable product claims are to be rejoined.

## **II. Objections to specification**

A. The Office Action states that Figure 3 has two panels and that therefore the description of Figure 3 on page 7 should be changed to recite "Figures 3A and 3B."

The specification is amended herein pursuant to the Examiner's suggestion to identify Figures 3A-B as appropriate throughout the specification. Thus, this objection has been rendered moot and applicants respectfully request its withdrawal.

B. The Office Action states that the use of trademarks in the specification should be appropriately acknowledged.

The specification is amended herein to properly recite the trademarks TRITON-X, SEPHAROSE, TWEEN-20 AND IMMULON 4 as described in the text. However, the terms "Coomassie brilliant blue" and "blotto" do not appear to be trade names and therefore, these terms are not amended herein. This objection is believed to now be rendered moot and applicants respectfully request its withdrawal.

C. The Office Action states that the nucleotide sequence recited at lines 4-34 on page 56 of the specification is not identified by a specific SEQ ID number.

Applicants respectfully point out to the Examiner that the nucleotide sequence recited at lines 4-34 on page 56 of the specification is identified in the specification as SEQ ID NO:7 at line 29 on page 55. Also, it can be seen that the nucleotide sequence on page 56 and the nucleotide sequence identified as SEQ ID NO:7 in the Sequence Listing are identical. Thus, the requirements for identification of nucleotide sequences have been met, thereby mooting this objection and applicants respectfully request its withdrawal.

### **III. Rejection under 35 U.S.C. § 112, second paragraph**

The Office Action states that claim 5 is allegedly indefinite in the recitation of limitations in parentheses and that claim 13, dependent from claim 5 is also allegedly indefinite for this reason.

Claim 5 as presented herein does not recite any limitations in parentheses, thereby mooting this rejection as it pertains to both claims 5 and 13 and applicants respectfully request its withdrawal.

### **IV. Rejection under 35 U.S.C. § 103**

The Office Action states that claims 4 and 12 are rejected as allegedly unpatentable over Green et al. (U.S. Patent No. 6,100,380).

Claims 4 and 12 are canceled herein without prejudice, thereby mooting these rejections and applicants respectfully request their withdrawal.

### **V. Claim objections**

The Office Action states that claims 3 and 4, as well as dependent claims 11 and 12, are objected to for being dependent from a non-elected claim.

As noted above, claims 4 and 12 are canceled herein without prejudice, thereby mooting this objection as it pertains to these claims. Furthermore, claim 3 as presented herein does not depend from a non-elected claim, thereby mooting this objection as it pertains to both claims 3 and 11. Thus, applicants respectfully request the withdrawal of this objection and allowance of the pending claims to issue.

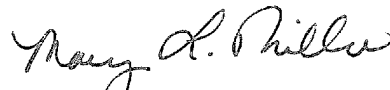
Having addressed all of the issues raised by the Examiner in the present Office Action,

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applicants believe this application to be in condition for allowance, which action is respectfully requested. The Examiner is encouraged and invited to contact the undersigned directly if such contact will expedite the processing of this application to allowance.

No fee is believed due with this response. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



Mary L. Miller

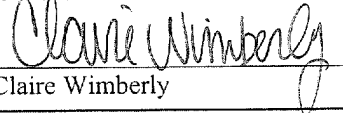
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Claire Wimberly